

**IDAHO BOARD OF OPTOMETRY**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 5/13/2019**

**BOARD MEMBERS PRESENT:** Raymond C Goodman, O.D. - Chair  
Aaron J Warner, O.D.  
Lance W Fagan, O.D.  
Terri L Haley, O.D.  
William Von Tagen

**BUREAU STAFF:** Kelley Packer, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Administrative Support Manager  
Lori Peel, Investigative Unit Manager  
Nicholas Crema, General Counsel  
Rob McQuade, Legal Counsel  
Cesley Metcalfe, Technical Records Specialist II

**OTHERS PRESENT:** Randy Andregg, Idaho Optometric Physicians  
Kris Ellis, Idaho Optometric Physicians

The meeting was called to order at 9:30 AM MDT by Raymond C Goodman, OD.

**APPROVAL OF MINUTES**

Dr. Fagan made a motion to approve the minutes of January 30, 2019 and February 25, 2019. It was seconded by Dr. Warner. Motion carried.

**LEGISLATIVE REPORT**

Ms. Packer presented a legislative update. She explained the changes which will be made to the Board's applications and website for applicants who are active duty military, veterans, and their spouses as a result of H248 being signed into law.

Mr. McQuade updated the Board on the Red Tape Reduction Act and the Bureau's process to review each Board's rules over the next two years.

**FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$82,633.08 as of April 30, 2019.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Dr. Warner made a motion to accept the CEU settlement in case OPT-2019-3 and authorize the Board Chair to sign on behalf of the Board. It was seconded by Dr. Fagan. Motion carried.

## **BOARD APPOINTMENTS**

Ms. Eavenson covered the Board member appointment process and the need to submit a new application if a person is seeking reappointment. The Board reviewed Idaho Code § 54-1503 to determine if there are term limits for Board members. The Bureau was directed to add this item to the next meeting agenda.

## **OLD BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **SUBCOMMITTEE REPORT**

Dr. Warner stated that, along with Ms. Packer and Ms. Callahan, he met with the Idaho Optometric Physicians (IOP) legislative committee in April. Working with Ms. Callahan, IOP has produced a new draft of the Board statute. Ms. Ellis stated that she submitted the draft to the Board of Medicine (BOM), which was reviewed at its last meeting. The BOM has some questions and does not have an ophthalmologist on the Board, so it has asked Dr. Leo Harf to review the draft. Ms. Ellis will follow up with the BOM. Ms. Ellis further stated that she emailed the same draft to the Idaho Medical Association on April 22<sup>nd</sup> and has not received any feedback. Ms. Ellis also informed the Board that, based on new information received from other states regarding regulation of laser procedures, tentative changes have been made to the draft. Ms. Ellis will present the BOM with a deadline of May 24 to submit its comments on the draft legislation and follow up with Ms. Packer on any feedback received.

## **CONTINUING EDUCATION AUDIT PROCESS**

The Board discussed the cost and time estimates for performing a 100 percent continuing education audit. Mr. von Tagen made a motion directing the Bureau to conduct an audit of 50 percent of licensees each year to reach a 100 percent audit of licensees every two years. It was seconded by Dr. Haley. Mr. von Tagen amended his motion to state that the Board will review the results each year to determine if the 50 percent annual audit will continue. It was seconded by Dr. Haley. Motion carried.

## **NEW BUSINESS**

### **ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO) ANNUAL MEETING**

Dr. Fagan made a motion authorizing one Bureau staff member to attend the 2019 ARBO Annual Meeting. It was seconded by Mr. von Tagen. Motion carried.

### **ASSOCIATION OF REGULATORY BOARDS OF OPTOMETRY (ARBO) MEMBER REPORT**

The Board reviewed the 2019 Annual Report for the 2019 ARBO Annual Meeting and provided direction for completion of the report to Bureau staff.

## **CORRESPONDENCE**

The Board reviewed correspondence from Dr. Rob Grigg regarding recent legislation passed in Alaska. Mr. von Tagen made a motion directing the Bureau to respond with a letter explaining why the information is not applicable in Idaho. It was seconded by Dr. Fagan. Motion carried.

The Board reviewed correspondence from the ARBO regarding some updates about the National Center of Clinical Testing in Optometry. No action was taken.

## **EXECUTIVE SESSION**

Dr. Fagan made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Dr. Warner. The vote was: Dr. Goodman, aye; Dr. Fagan, aye; Dr. Warner, aye; Dr. Haley, aye; and Mr. von Tagen, aye. Motion carried.

Mr. von Tagen made a motion to come out of executive session. It was seconded by Dr. Warner. The vote was: Dr. Goodman, aye; Dr. Fagan, aye; Dr. Warner, aye; Dr. Haley, aye; and Mr. von Tagen, aye. Motion carried.

Continuing education audits were reviewed in the executive session. The Board took no action.

**NEXT MEETING** was scheduled for August 19, 2019 at 9:30 AM MDT.

## **ADJOURNMENT**

Mr. von Tagen made a motion to adjourn the meeting at 10:59 AM MDT. It was seconded by Dr. Warner. Motion carried.

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Raymond C Goodman, O.D., Chair

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Aaron J Warner, O.D.

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Kelley Packer, Bureau Chief